



PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bhavesh N. Desai, et al.

Appl. No. : 09/924,599

Filed : August 8, 2001

Entitled : TUNNELING SYSTEM FOR A  
CABLE DATA SERVICE

Docket : ATT-026CUS

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

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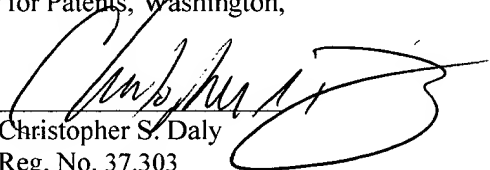
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Certificate of Mailing (37 C.F.R. 1.8(a))<sup>1</sup>

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3 OCT 01  
Date of Signature  
and Mail Deposit

By: \_\_\_\_\_

  
Christopher S. Daly  
Reg. No. 37,303  
Attorney for Applicant(s)

Adjustment date: 03/08/2002 SDIRETA1  
10/11/2001 ANABI1 00000010 500845 09924599  
01 FC:126 180.00 CR

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[ X ] (1) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage

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01 FC:126 180.00 CH

of the above-identified application or before the mailing of a first Office Action on the merits. Accordingly, Applicant(s) believes that no fee or certification is required.

☐ (1a) Applicant(s) believe the enclosed Information Disclosure Statement is entitled to the benefit of 37 C.F.R. § 1.97 (b) (3). Accordingly, Applicant(s) believe that no fee or certification is required.

☐ (1b) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

☐ a certification under 37 C.F.R. § 1.97(e); ☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 C.F.R. § 1.97(d)

☐ (2) Pursuant to 37 C.F.R. § 1.97(d), Applicant(s) hereby petition the Assistant Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the issue fee has not been paid and that a certification under 37 C.F.R. § 1.97(e) is provided herein, along with the petition fee of \$130.00 required under 37 C.F.R. § 1.17(i).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (1)

☐ (3) The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement.

CERTIFICATION UNDER 37 C.F.R. § 1.97 (e) (2)

☐ (4) The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counter part foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a

duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

By: 

Christopher S. Daly

Reg. No. 37,303

Attorney for Applicant(s)

Dated: 30 OCT 01

275 Turnpike Street, Suite 101  
Canton, MA 02021-2310  
Telephone: (781) 401-9988  
Facsimile: (781) 401-9966

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO.

ATT-026CUS

APPLICATION NO.

09/924,599

APPLICANT

Bhavesh N. Desai, et al.

FILING DATE

July 8, 2001

GROUP

Not Yet Assigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
		5	7	7	8	1	7	4	7/7/1998	Cain			
		6	0	5	5	2	3	6	4/25/2000	Nessett et al.			
		6	2	3	0	3	2	6	5/8/2001	Unger et al.			

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

		: Ciciora, Walter S., "The Cable Modem," IEEE Spectrum, pages 48-53, June 2001
		:
		:
		:
		:
		:
		:
		:
		:

Examiner

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.



GP 2643  
10430

Please type a plus sign (+) inside this box → ☐

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/924,599	
	Filing Date	August 8, 2001	
	First Named Inventor	Bhavesh N. Desai	
	Group Art Unit	Not Yet Assigned	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	80	Attorney Docket Number	ATT-026CUS

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return-receipted postcard; Letter under Rule 56
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.	

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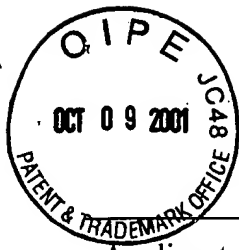
OCT 30 2001

Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Christopher S. Daly Reg. No. 37,303 Daly, Crowley & Mofford, LLP
Signature	
Date	3 OCT 01

CERTIFICATE OF MAILING			
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Typed or printed name	Christopher S. Daly	Date	3 OCT 01
Signature		Date	3 OCT 01

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October 3, 2001  
Date of Signature  
and Mail Deposit

By:

Christopher S. Daly  
Christopher S. Daly  
Reg. No. 37,303  
Attorney for Applicant

LETTER UNDER 37 C.F.R. §1.56

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Applicant would like to bring to the attention of the Examiner in the above-identified application the existence of the following co-pending U. S. patent applications: (1) U.S. Patent Application No. 09/924,639, filed August 8, 2001 (Attorney Docket No. ATT-026AUS) which claims the benefit of U.S. Provisional Application No. 60/275,665, filed March 14, 2001 under 35 U.S.C. §119(e); and (2) U.S. Patent Application No. 09/924,617, filed August 8, 2001 (Attorney Docket No. ATT-026BUS) which claims the benefit of U.S. Provisional Application No. 60/275,665, filed March 14, 2001 under 35 U.S.C. §119(e).

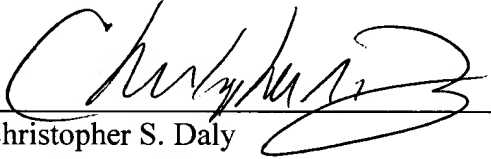
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If the Examiner has any questions concerning this application or this letter, he or she is respectfully invited to telephone the undersigned attorney.

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

Date: 30 6/2001

  
\_\_\_\_\_  
Christopher S. Daly  
Reg. No. 37,303  
Attorney for Applicant

275 Turnpike Street – Suite 101  
Canton, MA 02021-2310  
Tel: (781) 401-9988 x 11  
Fax: (781) 401-9966